

FRANK PALLONE, JR., NEW JERSEY  
CHAIRMAN

GREG WALDEN, OREGON  
RANKING MEMBER

ONE HUNDRED SIXTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
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August 9, 2019

The Honorable Richard Glick  
Commissioner  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Dear Commissioner Glick:

Thank you for appearing before the Subcommittee on Energy on Wednesday, June 12, 2019, at the hearing entitled, "Oversight of FERC: Ensuring Its Actions Benefit Consumers and the Environment." We appreciate the time and effort you gave as a witness before the Subcommittee.

Pursuant to Rule 3 of the Committee on Energy and Commerce, members are permitted to submit additional questions to the witnesses for their responses, which will be included in the hearing record. Attached are questions directed to you from certain members of the Committee. In preparing your answers to these questions, please address your responses to the member who has submitted the questions using the Word document provided with this letter.

To facilitate the publication of the hearing record, please submit your responses to these questions by no later than the close of business on Friday, August 23, 2019. As previously noted, this transmittal letter and your responses will be included in the hearing record. Your written responses should be transmitted by email in the Word document provided with this letter to Omar Guzman-Toro, Policy Analyst with the Committee, at [Omar@mail.house.gov](mailto:Omar@mail.house.gov). You do not need to send a paper copy of your responses to the Committee. Using the Word document provided for submitting your responses will also help maintain the proper format for incorporating your answers into the hearing record.

The Honorable Richard Glick  
Commissioner, Federal Energy Regulatory Commission  
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Thank you for your prompt attention to this request. If you need additional information or have other questions, please have your staff contact Mr. Guzman-Toro at (202) 226-9398.

Sincerely,



Frank Pallone, Jr.  
Chairman

Attachment

cc: The Honorable Greg Walden  
Ranking Member  
Committee on Energy and Commerce

The Honorable Bobby L. Rush  
Chairman  
Subcommittee on Energy

The Honorable Fred Upton  
Ranking Member  
Subcommittee on Energy

**Subcommittee on Energy**  
**Hearing on**  
**“Oversight of FERC: Ensuring Its Actions Benefit Consumers and the Environment”**  
**June 12, 2019**

**The Honorable Richard Glick**  
**Commissioner**  
**Federal Energy Regulatory Commission**

**The Honorable Paul D. Tonko (D-NY)**

1. While distributed energy resources and storage are playing a growing role in our electricity system, transmission remains the backbone of our electricity infrastructure. As more utility-scale renewables are developed far from centers of demand, this infrastructure will become even more necessary. But we know these projects are incredibly difficult to plan, site, permit, and build.
  - a. What in your opinion can FERC do to provide greater incentives to increase the utilization of existing transmission infrastructure through the deployment of advanced technologies and/or adoption of practices to maximize capacity and efficiency?
  - b. What are your recommendations for Congress to promote deployment of advanced transmission technologies on existing infrastructure?
2. We also know that the interregional planning process for new transmission infrastructure has not proven to be effective.
  - a. What in your opinion can FERC do to improve the interregional transmission planning process?
  - b. What are your recommendations for Congress to promote a more effective interregional planning process?
  - c. What safeguards should be considered to ensure there is transparency, efficiency, and fairness in that process?
3. There are many regions of the nation with high-potential for clean energy deployment and growing interconnection queues. It is my understanding that Texas has successfully

aligned incentives to encourage transmission construction to connect those areas with demand centers.

- a. What in your opinion can FERC do outside of ERCOT to ensure right-sized transmission capacity is developed to meet high-potential clean energy regions?
- b. What are your recommendations for Congress to promote efficient development of resources in these regions?

**The Honorable Joseph P. Kennedy III (D-MA)**

1. Congress established the Office of Public Participation under the Public Utility Regulatory Policy Act (PURPA) of 1978. The office was designed to assist the public and consumer advocates by intervening in FERC proceedings. However, to date, the office has never formally been established by FERC nor directly funded by Congress.
  - a. Commissioner Glick, do you support the establishment of an Office of Public Participation at FERC?
  - b. Would such an office prove to be a valuable resource for consumers and public advocates seeking meaningful participation in FERC proceedings?

**The Honorable Marc Veasey (D-TX)**

1. Standard license Article 5 of the conditions that the Commission includes in licenses for major hydroelectric projects affecting navigable waters of the United States requires licensees to acquire and retain sufficient land or rights to use lands needed to construct, maintain, and operate their projects. In the past, the Commission has taken the position that if project operations require the acquisition of additional lands or use rights, the project's boundaries may be amended to include lands previously outside of the project boundaries. E.g., PacifiCorp, 105 FERC P61, 237 at ¶114 (2003).
  - a. Do you believe that the Commission's hydroelectric licensing jurisdiction should be limited to a project's original boundary or should the Commission retain its current authority to require a licensee to acquire sufficient land or rights to use lands to operate the project, even if those lands lie outside a project's historic boundary?
  - b. Do you believe this rule should be different for the Pensacola Hydroelectric Project, FERC No. 1494, than for other hydroelectric projects licensed by the Commission? If so, why?

2. According to the Compliance Handbook published by the Commission's Division of Hydropower Administration and Compliance, many licenses "contain conditions that require specific reservoir water levels to be continuously maintained or maintained during specified periods of time ... or target elevations within required reservoir operating bands. The purpose of these water-level requirements is to protect and enhance the recreational, scenic, and environmental resource values of a project. Non-compliance with the water-level requirements of a project reservoir could adversely affect the project's environmental integrity and quality."
  - a. Do you believe that the Commission needs the authority to prescribe reservoir water levels in its hydroelectric licenses in order to fulfill its statutory responsibilities under the Federal Power Act?

**The Honorable David B. McKinley (R-WV)**

2. Many transmission assets are aging. My district is in the PJM footprint, which, as I understand it, has projects called supplemental projects that are projects identified by transmission owners to connect new customers and to upgrade their systems as needed to maintain reliability to the benefit of customers.
  - a. With transmission infrastructure being critical to the safety and security of our great Nation, what is FERC doing to ensure that Transmission Owners retain the ability to make asset management decisions in order to maintain and upgrade their systems as needed to continue the uninterrupted flow of electricity to consumers as required under their obligation to serve?
3. I think that inconsistency in design standards would create operational risks, and increased transparency would increase security exposure to the detriment of the public.
  - a. If FERC were to allow outside third parties to construct and operate piecemeal facilities on the incumbent transmission owner's grid through opening up supplemental projects to competition, do you agree this would create operational, security, and safety risks?

**The Honorable Bill Flores (R-TX)**

1. You mention the need to explore possible mitigation measures with respect to greenhouse gas emissions as projects are considered for approval. Will you please explain your mitigation expectations, and the costs of those mitigation measures, including:
  - a. What is the impact on lost jobs,
  - b. What is the impact on balance of trade payments,

- c. What is the environmental impact of delaying a potential customer's access to a cleaner-burning fuel coming from a project in which you are dissenting, and
- d. What is the impact of loss tax revenue to the federal government as well as the impact on the deficit?

**The Honorable Billy Long (R-MO)**

- 1. The last time the FERC Commissioners testified before this subcommittee, I asked Chairman McIntyre why City Utilities, a public utility owned by the City of Springfield, Missouri, is paying the highest energy cost in the Southwest Power Pool. I also asked why City Utilities is paying for transmission upgrades where the costs greatly exceed the benefits received, as shown by Southwest Power Pool's own study. The study shows that City Utility's benefit ratio is around .5, lower than the threshold of .8 needed to meet the Federal Power Act's Just and Reasonable Standard. At the same time, Chairman McIntyre expressed surprise that one entity would be paying substantially more for transmission service than others and promised to look into it.
  - a. Are you or any of the other commissioners aware whether a wide discrepancy in benefits to customers remains within SPP?
- 2. On May 10<sup>th</sup> of last year at a hearing entitled "Examining the State of ELECTRIC Transmission Infrastructure: Investment, Planning, Construction, and Alternatives," John Twitty testified on behalf of the TAPS Group about the benefits of joint transmission ownership arrangements as an effective means of getting needed transmission facilities built. For more than a decade, FERC has reportedly expressed strong support for such arrangements, however your support has not spurred additional joint ownership arrangements. The Commission has recently initiated a notice of inquiry regarding its transmission incentives policies.
  - a. Should the Commission do more to actively promote joint ownership arrangements involving public power entities?